

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
SOUTHERN DIVISION**

UNITED STATES OF AMERICA

v.

CAUSE NO. 1:21CR131-LG-RHWR-1

CASEY LUKE BLACKMON

**ORDER DENYING LETTER MOTION TO PROCEED
IN FORMA PAUPERIS IN REQUESTING TRANSCRIPTS**

Defendant Casey Luke Blackmon asks the Court to provide him with free transcripts of proceedings held on February 16, 2022, and July 7, 2022. He claims that these transcripts will assist him with his appeal of this Court's [43] Order denying his [31] Motion to Vacate, Correct, or Set Aside Sentence pursuant to 28 U.S.C. § 2255. After reviewing the record in this matter and the applicable law, the Court finds that Blackmon's [69] Letter Motion should be denied.

To obtain a transcript at the Government's expense, Blackmon must satisfy the criteria of 28 U.S.C. § 753(f). *See Jackson v. Livingston*, 540 F. App'x 403 (5th Cir. 2013) (per curiam) (citing 28 U.S.C. § 753(f); *Harvey v. Andrist*, 754 F.2d 569, 571 (5th Cir. 1985)). Section 753(f) provides, in part:

Fees for transcripts furnished in proceedings brought under section 2255 of this title to persons *permitted to sue or appeal in forma pauperis* shall be paid by the United States out of money appropriated for that purpose if the trial judge or a circuit judge certifies that the suit or appeal is not frivolous and that the transcript is needed to decide the issue presented by the suit or appeal.

See 28 U.S.C. § 753(f) (emphasis added).

Blackmon is not proceeding in forma pauperis on appeal. The Fifth Circuit's docket reflects that he paid the filing fee on October 3, 2024. *See United States v. Blackmon*, No. 24-60110 (5th Cir. Oct. 3, 2024). Furthermore, Blackmon has not explained why he needs the transcripts for his appeal. As a result, Blackmon's request for copies of transcripts at Government expense must be denied.

IT IS THEREFORE ORDERED AND ADJUDGED that Casey Luke Blackmon's [69] Letter Motion seeking copies of transcripts at Government expense is **DENIED**.

SO ORDERED AND ADJUDGED this the 13th day of January, 2025.

s/ *Louis Guirola, Jr.*

LOUIS GUIROLA, JR.
UNITED STATES DISTRICT JUDGE